

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

-----X
In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,
et al.,

(Jointly Administered)

Debtors.¹
-----X

ORDER REGARDING DEFECTIVE NOTICE OF WITHDRAWAL

The Court has received and reviewed the Notice of Withdrawal of Appearance as Counsel of Record for Ad Hoc Committee (the “Notice of Withdrawal”) filed by Bennazar, Garcia & Milian, C.S.P. (“Counsel”). (Docket Entry No. 413.) Pursuant to Local Bankruptcy Rule 9010-1(3)(A), an attorney may withdraw from a case or proceeding without leave of court by filing a notice of withdrawal with the Court, provided that:

- i. the notice of withdrawal is accompanied by a notice of appearance of other counsel;
- ii. the attorney seeking to withdraw certifies that his client has been advised regarding the procedures and responsibilities related to appearing pro se, and that after conferring with the attorney, the client has stated his intention to proceed pro se;
- iii. there are no motions pending before the court; and
- iv. no trial or hearing date has been scheduled.

The Notice of Withdrawal is defective because it is not accompanied by a notice of appearance of other counsel to the “Ad Hoc Retiree Committee,” which may not appear in this proceeding without counsel, as it is not a natural person. Rowland v. California Men’s Colony,

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

506 U.S. 194, 202–03 (1993) (“It is well-settled that corporations, partnerships, associations, and other artificial entities can only appear in federal court through licensed counsel.”). Counsel is hereby directed to file an amended Notice of Withdrawal or a motion for leave to withdraw by **July 21, 2017**. Failure to comply with this order will result in the Notice of Withdrawal being stricken from the docket.

SO ORDERED.

Dated: July 13, 2017

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge